

IN THE UNITED STATES OF ARKANSAS
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION

WALTER ARCHER

PLAINTIFF

vs.

NO. 5:07CV00237 BSM

SCOTT HORNADAY, ET AL.

DEFENDANT

ORDER

Plaintiff filed this *pro se* complaint pursuant to 42 U.S.C. § 1983. At the time, Plaintiff was incarcerated in the Arkansas Department of Correction. He was granted leave to proceed *in forma pauperis* and requested appointment of counsel. On February 20, 2008, the Magistrate Judge denied Plaintiff's request for appointment of counsel, finding that Plaintiff's claims are not legally or factually complex. The Magistrate Judge noted that because Plaintiff is no longer incarcerated he would be in a better position to conduct discovery and prepare for trial or retain counsel.

Plaintiff has filed another application to proceed *in forma pauperis* and a motion for appointment of counsel. Plaintiff is now working at Tyson's and states that he earns \$291.20. He does not indicate the pay period. Thus, the Court finds that the application is incomplete. Plaintiff is directed to file a supplemental application indicating the pay period for which he receives his salary within twenty days of the date of this Order.

As the Magistrate Judge noted, Plaintiff is no longer incarcerated and therefore has greater freedom to seek retained counsel. Therefore Plaintiff should file within twenty days of the date of this Order a supplement to his motion for appointment of counsel indicating what efforts he has made to secure counsel.

Failure to comply with this Order will result in dismissal of the complaint.

IT IS SO ORDERED this 28th day of May, 2008.

A handwritten signature in cursive script, reading "Brian S. Miller".

UNITED STATES DISTRICT JUDGE